

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

ANN MARIE ATTRIDGE,

Plaintiffs,

v.

**COLONIAL SAVINGS, F.A. and
TRANSUNION, LLC,**

Defendant.

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Civil Action No. 5:20-cv-00205-OLG

DEFENDANT COLONIAL SAVINGS, F.A.'S MOTION IN LIMINE

COMES NOW Defendant Colonial Savings, F.A. ("Colonial" or "Defendant") files this, their Motion in Limine, and would thereby respectfully show unto the Court the following:

I.

Defendant moves the Court for an Order, prior to the *voir dire* examination of the jury panel in this cause, that Plaintiff and Plaintiff's attorneys and representatives and any and all witnesses called on behalf of Plaintiff be instructed to refrain from any mention or interrogation, directly or indirectly, in any manner whatsoever, including the offering of documentary evidence, concerning the matters set forth in Exhibit A. If any attorneys wish to propose a theory of admissibility concerning these matters, Defendant requests the Court to order that counsel first must request a ruling from the Court outside the presence and hearing of all prospective jurors and jurors ultimately selected in this cause.

II.

The matters set forth in Exhibit A attached hereto and incorporated herein by reference would not be admissible evidence for any purpose on proper and timely objection because they have no rational relationship to any probable or controlling fact issue in dispute, nor do they have

a tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence.

III.

Permitting interrogation of witnesses, comments to jurors, or prospective jurors, or offers of evidence concerning any of the matters set forth in Exhibit A would prejudice the jury and sustaining objections to such questions, statements or evidence introduced by counsel or witnesses will not prevent prejudice but will reinforce the development of questionable evidence.

IV.

Further, the probative value of the matters set forth in the Exhibit A is substantially outweighed by the danger of unfair prejudice, confusion of the issues or misleading the jury and as such should not be admissible for any purpose in the cause and to permit the mentioning of such matters would prejudice the jury even with sustaining of any objection to such matters.

WHEREFORE, PREMISES CONSIDERED, Defendant requests that this Motion in Limine be granted and an appropriate Order signed and entered by the Court consistent with this Motion.

Respectfully submitted,

By: /s/ Mark D. Cronenwett

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COLONIAL SAVINGS, FA

CERTIFICATE OF SERVICE

I hereby certify that on July 13, 2022 a true and correct copy of the foregoing was served via ECF notification on the following counsel of record:

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